

ORDINANCE NO. 12-41

ORDINANCE APPROVING A FINAL PLAT OF TITLEIST HOMES SUBDIVISION, ACCEPTING ALL DEDICATION OF AVENUES OR OTHER PUBLIC WAYS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING OF TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. **PROPERTY LOCATED AT 4755 EAST 4 AVENUE, HIALEAH, FLORIDA.**

WHEREAS, the Planning and Zoning Board at its meeting of May 23, 2012 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The final plat of Titleist Homes Subdivision, submitted by Titleist Homes, LLC, a Florida limited liability company, by and through its duly authorized agent, Shahin Etessam, as Managing Member, is hereby accepted. Property located 4755 East 4 Avenue, Hialeah, Miami-Dade County, Florida, zoned R-1 (One-Family Residential District), and classified under the Future Land Use Map as Low Density Residential, and legally described as follows:

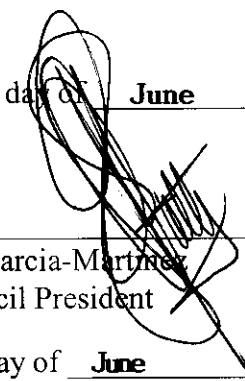
LOTS 4, 5, AND 6, IN BLOCK 57 F, OF SIXTEENTH ADDITION TO HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, AT PAGE 53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND THAT PORTION OF

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida, and signed by the Mayor of the City of Hialeah, Florida.

PASSED and ADOPTED this 26th day of June, 2012.

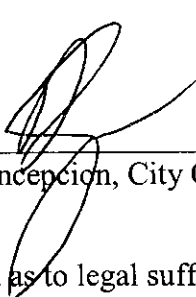
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.




Isis Garcia-Martinez
Council President

Attest:

Approved on this 28th day of June, 2012.



David Concepcion, City Clerk



Mayor Carlos Hernandez

Approved as to legal sufficiency and as to form:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

THE WEST ½ OF THE 12 FOOT ALLEY LYING EAST
AND ADJACENT THERETO, CLOSED AND
VACATED FROM PUBLIC USE PURSUANT TO CITY
OF HIALEAH ORDINANCE 94-07 (January 25, 1994).

Section 2: All dedication of avenues or other public ways together with all existing and future planting, trees, shrubbery and fire hydrants thereon are hereby accepted.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or section of this ordinance.